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**IN THE UNITED STATES DISTRICT COURT FOR
 THE SOUTHERN DISTRICT OF NEW YORK**

	X	
	:	
UNITED STATES of AMERICA	:	
	:	
-against-	:	
	:	07-cr-348 (RPP)
	:	
LOKESH BHAT, et al.	:	ATTORNEY AFFIRMATION
	:	IN SUPPORT OF MOTION TO
	:	WITHDRAW AS ATTORNEY
	:	OF RECORD
	:	
Defendants.	:	(Filed by ECF)
	:	
	X	

Bruno C. Bier, Esq., an attorney admitted to practice before the courts of United States District Court for the Southern District of New York, affirms and certifies, under penalty of perjury, as follows:

1. I am the attorney of record for the defendant, and I am familiar with all of the court papers and proceedings in this case, and with all of the facts and circumstances set forth below.
2. I am making this affirmation in support of my motion for an Order from this Court granting permission to withdraw as counsel of record for Defendant Lokesh Bhat.
3. On April 12, 2007, I entered a Notice of Appearance and represented Lokesh Bhat at his arraignment before the Honorable Magistrate Debra C. Freeman on charges of Conspiracy to Defraud the United States in violation of 18 U.S.C. § 371(1) and related charges.

4. On or about July 12, 2007, a superseding indictment was filed against Lokesh Bhat, charging him with Food Stamp Fraud in violation of 7 U.S.C. §§ 2024(b)(1), 2016 and 18 U.S.C. § 2, and related charges.

5. On July 16, 2007, I represented Lokesh Bhat at his arraignment on the superseding indictment before this Honorable Court. At that time, the government provided me with discovery which included over 30 DVD and CD discs.

6. On that same date, after Lokesh Bhat's arraignment, I requested that he come to my office as soon as possible to discuss matters related to his case, and we scheduled our meeting for July 23, 2007.

7. On July 23, 2007, Lokesh Bhat did not appear at my office, and did not return repeated messages left on his home and work telephone numbers.

8. On July 25, 2007, after many telephone calls to his home and work telephone numbers, I was finally able to contact him on the telephone, and we rescheduled our meeting for July 27, 2007.

9. On July 27, 2007, Lokesh Bhat did not appear at my office, and did not return repeated messages left on his home and work telephone numbers.

10. On August 3, 2007, I sent a letter by Federal Express overnight delivery to the residence of Lokesh Bhat. In that letter, I informed him that his repeated failures to appear at scheduled appointments and failure to return my telephone calls had led to a serious breakdown in communication between us and that I could not effectively represent him if he continued to avoid any communication with me. See Exhibit A, Letter to Lokesh Bhat (August 3, 2007). I further informed him that if he did not contact me after receiving the letter, I would be forced to ask the Court to relieve me from representing him. See id.

11. After repeated attempts at delivery, my letter of August 3, 2007 was left at the front door of Mr. Bhat's residence on August 8, 2007. See Exhibit B, Federal Express Delivery Information. However, Mr. Bhat has not contacted me by telephone, he has not appeared at my office, nor have I received any correspondence from him in response to my letter of August 3, 2007.

12. Mr. Bhat has failed to respond to either repeated telephone calls or certified letters, and I have been unable to make contact with Mr. Bhat since July 25, 2007, leaving me with no other choice but to move to withdraw as his counsel. I also request that an attorney be temporarily assigned to Mr. Bhat until he determines whether he requires assigned counsel or will be retaining counsel. Finally, I request a temporary stay in the proceedings until new counsel has been retained and had an opportunity to become familiar with the facts of the case.

13. There has been no previous request for the relief sought in this motion in this or any other Court.

WHEREFORE, it is respectfully requested that the motion for permission to withdraw as counsel of record for defendant Lokesh Bhat be granted in all respects, that counsel be appointed on behalf of Mr. Bhat until such time as he may retain other counsel, that a temporary stay in the proceedings be granted until such counsel enters a notice of appearance, and such other relief be granted as this Honorable Court may deem just and proper.

Dated: New York, New York
August 10, 2007

/s/ Bruno C. Bier
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